

117TH CONGRESS
2D SESSION

S. 5230

AN ACT

To increase accessibility to the National Missing and Unidentified Persons System, to facilitate data sharing between such system and the National Crime Information Center database of the Federal Bureau of Investigation, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as “Billy’s Law” or the “Help
3 Find the Missing Act”.

4 **SEC. 2. AUTHORIZATION OF THE NATIONAL MISSING AND**
5 **UNIDENTIFIED PERSONS SYSTEM.**

6 (a) IN GENERAL.—The Attorney General, shall main-
7 tain the “National Missing and Unidentified Persons Sys-
8 tem” or “NamUs”, consistent with the following:

9 (1) The NamUs shall be a national information
10 clearinghouse and resource center for missing, un-
11 identified, and unclaimed person cases across the
12 United States administered by the National Institute
13 of Justice and managed through an agreement with
14 an eligible entity.

15 (2) The NamUs shall coordinate or provide—

16 (A) online database technology which
17 serves as a national information clearinghouse
18 to help expedite case associations and resolu-
19 tions;

20 (B) various free-of-charge forensic services
21 to aid in the identification of missing persons
22 and unidentified remains;

23 (C) investigative support for criminal jus-
24 tice efforts to help missing and unidentified
25 person case resolutions;

1 (D) technical assistance for family mem-
 2 bers of missing persons;

3 (E) assistance and training by coordi-
 4 nating State and local service providers in order
 5 to support individuals and families impacted by
 6 the loss or disappearance of a loved one; and

7 (F) training and outreach from NamUs
 8 subject matter experts, including assistance
 9 with planning and facilitating Missing Person
 10 Day events across the country.

11 (b) PERMISSIBLE USE OF FUNDS.—

12 (1) IN GENERAL.—The permissible use of funds
 13 awarded under this section for the implementation
 14 and maintenance of the agreement created in sub-
 15 paragraph (a)(1) include the use of funds—

16 (A) to hire additional personnel to provide
 17 case support and perform other core NamUs
 18 functions;

19 (B) to develop new technologies to facili-
 20 tate timely data entry into the relevant data
 21 bases;

22 (C) to conduct contracting activities rel-
 23 evant to core NamUs services;

24 (D) to provide forensic analyses to support
 25 the identification of missing and unidentified

1 persons, to include, but not limited to DNA
2 typing, forensic odontology, fingerprint exam-
3 ination, and forensic anthropology;

4 (E) to train State, local, and Tribal law
5 enforcement personnel and forensic medicine
6 service providers to use NamUs resources and
7 best practices for the investigation of missing
8 and unidentified person cases;

9 (F) to assist States in providing informa-
10 tion to the NCIC database, the NamUs data-
11 base, or any future database system for miss-
12 ing, unidentified, and unclaimed person cases;

13 (G) to report to law enforcement authori-
14 ties in the jurisdiction in which the remains
15 were found information on every deceased, un-
16 identified person, regardless of age;

17 (H) to participate in Missing Person Days
18 and other events to directly support family
19 members of the missing with NamUs case en-
20 tries and DNA collections;

21 (I) to provide assistance and training by
22 coordinating State and local service providers in
23 order to support individuals and families;

24 (J) to conduct data analytics and research
25 projects for the purpose of enhancing knowl-

1 edge, best practices, and training related to
2 missing and unidentified person cases, as well
3 as developing NamUs system enhancements;

4 (K) to create and maintain a secure, on-
5 line, nationwide critical incident response tool
6 for professionals that will connect law enforce-
7 ment, medico-legal and emergency management
8 professionals, as well as victims and families
9 during a critical incident; and

10 (L) for other purposes consistent with the
11 goals of this section.

12 (c) AMENDMENTS TO THE CRIME CONTROL ACT OF
13 1990 TO REQUIRE REPORTS OF MISSING CHILDREN TO
14 NAMUS.—

15 (1) REPORTING REQUIREMENT.—Section
16 3701(a) of the Crime Control Act of 1990 (34
17 U.S.C. 41307(a)) is amended by striking the period
18 and inserting the following: “and, consistent with
19 section 3 (including rules promulgated pursuant to
20 section 3(c)) of the Help Find the Missing Act, shall
21 also report such case, either directly or through au-
22 thorization described in such section to transmit,
23 enter, or share information on such case, to the
24 NamUs databases.”.

1 (2) STATE REQUIREMENTS.—Section 3702 of
2 the Crime Control Act of 1990 (34 U.S.C. 41308)
3 is amended—

4 (A) in paragraph (2), by striking “or the
5 National Crime Information Center computer
6 database” and inserting “, the National Crime
7 Information Center computer database, or the
8 NamUs databases”;

9 (B) in the matter following paragraph (3),
10 by striking “and the National Crime Informa-
11 tion Center computer networks” and inserting
12 “, the National Crime Information Center com-
13 puter networks, and the NamUs databases”;
14 and

15 (C) in paragraph (4)—

16 (i) in the matter preceding subpara-
17 graph (A), by inserting “or the NamUs
18 databases” after “National Crime Informa-
19 tion Center”; and

20 (ii) in subparagraph (A), by striking
21 “and National Crime Information Center
22 computer networks” and inserting “, Na-
23 tional Crime Information Center computer
24 networks, and the NamUs databases”.

1 (3) EFFECTIVE DATE.—The amendments made
2 by this subsection shall apply with respect to reports
3 made before, on, or after the date of enactment of
4 this Act.

5 **SEC. 3. INFORMATION SHARING.**

6 (a) ACCESS TO NCIC.—Not later than 1 year after
7 the date of enactment of this Act, the Attorney General
8 shall, in accordance with this section, provide access to
9 the NCIC Missing Person and Unidentified Person Files
10 to the National Institute of Justice or its designee admin-
11 istering the NamUs program as a grantee or contractor,
12 for the purpose of reviewing missing and unidentified per-
13 son records in NCIC for case validation and NamUs data
14 reconciliation.

15 (b) ELECTRONIC DATA SHARING.—Not later than 6
16 months after the date of enactment of this Act, the Attor-
17 ney General shall, in accordance with this section, have
18 completed an assessment of the NCIC and NamUs system
19 architectures and governing statutes, policies, and proce-
20 dures and provide a proposed plan for the secure and auto-
21 matic data transmission of missing and unidentified per-
22 son records that are reported to and entered into the
23 NCIC database, with the following criteria, to be electroni-
24 cally transmitted to the NamUs system.

1 (1) Missing Person cases with an MNP (Miss-
2 ing Person) code of CA (Child Abduction) or AA
3 (Amber Alert) within 72 hours of entry into NCIC;

4 (2) Missing Person cases with an MNP code
5 EME (Endangered) or EMI (Involuntary) within 30
6 days of entry into NCIC;

7 (3) All other Missing Person cases that have
8 been active (non-cancelled) in NCIC for 180 days;

9 (4) Unidentified person cases that have been
10 active (non-cancelled) in NCIC for 60 days;

11 (5) Once case data are transmitted to NamUs,
12 cases are marked as such within NCIC, and any up-
13 dates to such cases will be transmitted to NamUs
14 within 24 hours.

15 (c) RULES ON CONFIDENTIALITY.—

16 (1) IN GENERAL.—Not later than 1 year after
17 the date of enactment of this Act, the Attorney Gen-
18 eral, in consultation with the Director of the FBI,
19 shall promulgate rules pursuant to notice and com-
20 ment that specify the information the Attorney Gen-
21 eral may allow NamUs to access from the NCIC
22 Missing Person and Unidentified Person files or be
23 transmitted from the NCIC database to the NamUs
24 databases for purposes of this Act. Such rules
25 shall—

1 (A) provide for the protection of confiden-
2 tial, private, and law enforcement sensitive in-
3 formation contained in the NCIC Missing Per-
4 son and Unidentified Person files; and

5 (B) specify the circumstances in which ac-
6 cess to portions of information in the Missing
7 Person and Unidentified Person files may be
8 withheld from the NamUs databases.

9 **SEC. 4. REPORT ON BEST PRACTICES.**

10 Not later than 1 year after the date of the enactment
11 of this Act, the Attorney General shall issue a report to
12 offices of forensic medicine service providers, and Federal,
13 State, local, and Tribal law enforcement agencies describ-
14 ing the best practices for the collection, reporting, and
15 analysis of data and information on missing persons and
16 unidentified human remains. Such best practices shall—

17 (1) provide an overview of the NCIC database
18 and NamUs databases;

19 (2) describe how local law enforcement agen-
20 cies, and offices of forensic medicine service pro-
21 viders should access and use the NCIC database and
22 NamUs databases;

23 (3) describe the appropriate and inappropriate
24 uses of the NCIC database and NamUs databases;
25 and

1 (4) describe the standards and protocols for the
2 collection, reporting, and analysis of data and infor-
3 mation on missing persons and unidentified human
4 remains.

5 **SEC. 5. REPORT TO CONGRESS.**

6 (a) IN GENERAL.—Not later than 1 year after the
7 date of the enactment of this Act and biennially thereafter,
8 the Attorney General shall submit to the Committee on
9 the Judiciary of the House of Representatives and the
10 Committee on the Judiciary of the Senate a report de-
11 scribing the status of the NCIC database and NamUs
12 databases.

13 (b) CONTENTS.—The report required by subsection
14 (a) shall describe, to the extent available, information on
15 the process of information sharing between the NCIC
16 database and NamUs databases.

17 **SEC. 6. DEFINITIONS.**

18 In this Act:

19 (1) AUTHORIZED AGENCY.—The term “author-
20 ized agency” means a Government agency with an
21 originating agency identification (ORI) number and
22 that is a criminal justice agency, as defined in sec-
23 tion 20.3 of title 28, Code of Federal Regulations.

24 (2) FBI.—The term “FBI” means the Federal
25 Bureau of Investigation.

1 (3) FORENSIC MEDICINE SERVICE PROVIDER.—

2 The term “forensic medicine service provider” means
3 a State or unit of local government forensic medicine
4 service provider having not fewer than 1 part-time
5 or full-time employed forensic pathologist, or foren-
6 sic pathologist under contract, who conducts
7 medicolegal death investigations, including examina-
8 tions of human remains, and who provides reports or
9 opinion testimony with respect to such activity in
10 courts of law within the United States.

11 (4) FORENSIC SCIENCE SERVICE PROVIDER.—

12 The term “forensic science service provider” means
13 a State or unit of local government agency having
14 not fewer than 1 full-time analyst who examines
15 physical evidence in criminal or investigative matters
16 and provides reports or opinion testimony with re-
17 spect to such evidence in courts in the United
18 States.

19 (5) NAMUS DATABASES.—The term “NamUs
20 databases” means the National Missing and Uniden-
21 tified Persons System Missing Persons database and
22 National Missing and Unidentified Persons System
23 Unidentified Decedents database maintained by the
24 National Institute of Justice of the Department of
25 Justice, which serves as a clearinghouse and re-

1 source center for missing, unidentified, and un-
2 claimed person cases.

3 (6) NCIC DATABASE.—The term “NCIC data-
4 base” means the National Crime Information Center
5 Missing Person File and National Crime Informa-
6 tion Center Unidentified Person File of the National
7 Crime Information Center database of the FBI, es-
8 tablished pursuant to section 534 of title 28, United
9 States Code.

10 (7) QUALIFYING LAW ENFORCEMENT AGENCY
11 DEFINED.—The term “qualifying law enforcement
12 agency” means a State, local, or Tribal law enforce-
13 ment agency.

14 (8) STATE.—The term “State” means any
15 State of the United States, the District of Columbia,
16 the Commonwealth of Puerto Rico, the Virgin Is-
17 lands, American Samoa, Guam, and the Common-
18 wealth of the Northern Mariana Islands.

Passed the Senate December 8, 2022.

Attest:

Secretary.

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